No. 89-265

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IN THE

Supreme Court of the United States

OCTOBER TERM, 1989

EASTON PUBLISHING COMPANY,

Petitioner,

v.

ALFRED R. BOETTGER,

Respondent.

On Petition for Writ of Certiorari to The Supreme Court of Pennsylvania

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BRIEF AMICI CURIAE OF AMERICAN NEWSPAPER PUBLISHERS ASSOCIATION AMERICAN SOCIETY OF NEWSPAPER EDITORS A.H. BELO CORPORATION CBS INC. CHRONICLE PUBLISHING COMPANY COOKE MEDIA GROUP, INC. THE COPLEY PRESS, INC. DONREY, INC. DOW JONES & COMPANY, INC. NATIONAL ASSOCIATION OF BROADCASTERS NATIONAL BROADCASTING COMPANY, INC. NEW YORK TIMES COMPANY RADIO-TELEVISION NEWS DIRECTORS ASSOCIATION REPORTERS' COMMITTEE FOR FREEDOM OF THE PRESS SEATTLE TIMES COMPANY SOCIETY FOR PROFESSIONAL JOURNALISTS TIMES MIRROR COMPANY AND WASHINGTON POST COMPANY IN SUPPORT OF PETITIONER

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TABLE OF CONTENTS

	Page
PRELIMINARY STATEMENT	2
INTEREST OF AMICI	2
QUESTIONS PRESENTED	3
ARGUMENT	4
FLORIDA STAR MANDATES SUMMARY REVERSAL	4
A. The Published Material Was Obtained Legally	5
B. The Sanctions Do Not Advance A State Interest Of The Highest Order	5
C. The Rule Cited By The Court Below Would Create Intolerable Difficulties For Newsgatherers	8
CONCLUSION	12
APPENDIX A	1a
APPENDIX B	5a

TABLE OF AUTHORITIES

CASES	Page
Associated Press v. United States, 326 U.S. 1 (1945)	2
Boettger, v. Loverro, 555 A.2d 1234 (Pa. 1989)	4,9
Cox Broadcasting Corp. v. Cohn, 420 U.S. 469 (1975)	2,5,7,8,9
Curtis Publ. Co. v. Butts, 388 U.S. 130 (1967)	6
Florida Star v. B.J.F., ___ U.S. ___, 109 S. Ct. 2603 (1989)	4,5,6,7,8,12
Hechler v. Casey, 333 S.E.2d 799 (W. Va. 1985)	12
Kanzelmeyer v. Eger, 16 Pa. Commw. 495, 329 A.2d 307 (1974)	11
Kernick v. Dardanell Press, 428 Pa. 288, 236 A.2d 191 (1967)	10
Landmark Communications, Inc. v. Virginia, 435 U.S. 829 (1978)	5,7
Oklahoma Publ. Co. v. District Court of Oklahoma, 430 U.S. 308 (1977)	4,5,7,8
Smith v. Daily Mail Publ. Co., 443 U.S. 97 (1979)	5,8
State v. Bundy, 20 Ohio St. 3d 51, 485 N.E.2d 1039 (1985)	11
State ex rel. Dispatch Printing Co. v. Wells, 18 Ohio St. 3d 382, 481 N.E.2d 632 (1985)	11
Virginia State Bd. of Pharmacy v. Virginia Citizens Consumer Council, Inc., 425 U.S. 748 (1976)	2

CONSTITUTION AND STATUTORY AUTHORITIES

1 OHIO REV. CODE ANN., § 149.43(a), et seq., (Page 1984 and Supp. 1988)	11
13 OHIO REV. CODE ANN., § 1347.01, et seq. (Page 1984)	11

Table of Authorities Continued

	Page
18 PA. CONS. STAT. ANN., § 5701, et seq., (Purdon 1959 and Supp. 1989)	7
Right to Know Act, 65 PA. CONS. STAT. ANN., § 66.1(2), (Purdon 1959 and Supp. 1989)	11
W. VA. CODE, § 29-6-16 (1986 and Supp. 1989)	11
W. VA. CODE,, § 29B-1-1, et seq., (1986 and Supp. 1989))	12
MISCELLANEOUS	
FLORIDA BAR, FLORIDA PRESS ASS'N, FLORIDA ASS'N OF BROADCASTERS, REPORTER'S HANDBOOK, (rev. ed. Feb. 1, 1988)	10
LIBEL DEFENSE RESOURCE CENTER 50-State Survey, Row XII, 930-33, 954-56 (Kaufman ed. 1988)	10
RESTATEMENT (SECOND) OF TORTS, § 652D (1981)	6,10

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IN SUPPORT OF PETITIONER

PRELIMINARY STATEMENT

The American Newspaper Publishers Association, American Society of Newspaper Editors, A.H. Belo Corporation, CBS Inc., Chronicle Publishing Company, Cooke Media Group, Inc., The Copley Press Inc., Donrey, Inc., Dow Jones & Company, Inc., National Association of Broadcasters, National Broadcasting Company, Inc., New York Times Company, Radio-Television News Directors Association, Reporters Committee for Freedom of the Press, Seattle Times Company, Society for Professional Journalists, Times Mirror Company, and Washington Post Company submit this brief *amici curiae* in support of petitioner Easton Publishing Company. All parties to this suit have given *amici* written consent to the filing of this brief. Copies of such consents have been filed with the Clerk of this Court.

INTEREST OF THE AMICI

The First Amendment "rests on the assumption that the widest possible dissemination of information from diverse and antagonistic sources is essential to the welfare of the public. . . ." *Associated Press v. United States*, 326 U.S. 1, 20 (1945), and "the best means to that end is to open the channels of communication, rather than to close them. . . ." *Virginia State Bd. of Pharmacy v. Virginia Citizens Consumer Council, Inc.*, 425 U.S. 748, 770 (1976). "The freedom of the press to publish that information [that appears in public records] appears to us to be of critical importance to our type of government in which the citizenry is the final judge of the proper conduct of public business." *Cox Broadcasting Corp. v. Cohn*, 420 U.S. 469, 495 (1975) ("*Cox Broadcasting*").

All *amici* or their constituent members abide by the foregoing principles and routinely report on the activities of government in their local areas, and many of them cover governmental activities in other states. Many distribute their newspapers or broadcast their news coverage into other states. A detailed description of each organization appears in Appendix A.

Amici often obtain governmental and judicial documents which contain information about events of public importance. All *amici*, and their readers, viewers and listeners, have an interest in being able to disseminate, receive and use that governmental and judicial information without being exposed to liability for doing so.

The Pennsylvania wiretapping statute at issue in this case and the interpretation given it by the Pennsylvania Supreme Court penalize the publication of truthful information relating to alleged criminal conduct, lawfully obtained from open court records. The decision below imposes upon the media the intolerable burden of ascertaining before publication that any document found in a public file was lawfully or intentionally placed therein by authorized government personnel. This, and other pragmatic problems created by the ruling below impel *amici* to urge this Court to grant petitioner's Petition for Writ of Certiorari and to reverse summarily the Pennsylvania Supreme Court's decision.

QUESTIONS PRESENTED, CONSTITUTIONAL PROVISIONS INVOLVED AND STATEMENT OF THE CASE

Amici adopt the questions presented, constitutional provisions involved and statement of the case, all as

set forth in the petitioner's Petition for Writ of Certiorari.

ARGUMENT

FLORIDA STAR MANDATES SUMMARY REVERSAL

In *Florida Star v. B.J.F.*, ___ U.S. ___ ,109 S. Ct. 2603 (1989) ("*Florida Star*"), this Court held: "Where a newspaper publishes truthful information which it has lawfully obtained, punishment may be lawfully imposed, if at all, only when narrowly tailored to a state interest of the highest order. . . " *Id.*, 109 S. Ct. at 2613. The Pennsylvania Supreme Court's decision in *Boettger v. Loverro*, 555 A.2d 1234 (Pa. 1989), directly contradicts *Florida Star* and should summarily be reversed. *See Oklahoma Publ. Co. v. District Court of Oklahoma*, 430 U.S. 308 (1977) ("*Oklahoma Publ. Co.*") (summary reversal invoked in similar First Amendment context).

The Pennsylvania Supreme Court's decision in *Boettger v. Loverro*, *supra*, if allowed to stand, would put every newsroom in jeopardy of a lawsuit each time its reporters report on the contents of open government files. No news story based on government records could be published safely until state and federal statutes, regulations and case law had been searched for any provision which might render that information confidential. Then, if potentially confidential information were thereby identified, it would have to be determined whether the document was filed intentionally. Otherwise, the news organization would risk liability and indeterminate damages for the publication of confidential information that a government employee had inadvertently placed in the file against the law.

Florida Star held that the newspaper could not be liable for civil penalties under a state criminal statute for the publication of a rape victim's name that was inadvertently disclosed in a police press release. In doing so it relied on the formula articulated in *Smith v. Daily Mail Publ. Co.*, 443 U.S. 97, 103 (1979), which had synthesized "the prior cases involving attempts to punish truthful information." *Florida Star*, *supra*, 109 S. Ct. at 2609. *See also Landmark Communications, Inc. v. Virginia*, 435 U.S. 829 (1978); *Oklahoma Publ. Co., supra; Cox Broadcasting, supra.* *Florida Star* emphasized three factors, "in addition to, of course, the overarching 'public interest served by the Constitution in the dissemination of truth.'" *Id.*, 109 S. Ct. at 2609 (citations omitted). These factors were (1) whether the information was lawfully acquired, (2) whether punishment of the press would advance a state interest of the highest order, and (3) whether "timidity and self-censorship" might result from such punishment. *Id.*, 109 S. Ct. at 2609-10.

A. THE PUBLISHED MATERIAL WAS OBTAINED LEGALLY.

As to the first factor, there is no question that the reporter obtained the information legally. The wiretap transcript was contained, unsealed, in a court file, and given to petitioner's reporter by a clerk in the court clerk's office.

B. THE SANCTIONS DO NOT ADVANCE A STATE INTEREST OF THE HIGHEST ORDER.

The second factor, the failure to advance state interest of the highest order, is also met here. In *Florida Star*, in spite of great sensitivity to the plight of innocent rape victims, the concern was not enough

to become a state interest of the highest order. It cannot follow that protecting wiretapped conversations revealing criminal gambling activity from publication is an interest of the highest order.[1] The privacy concerns for those accused of crimes must be considerably less than the privacy concerns for rape victims. *Id.*, 109 S. Ct. at 2615 (White, J. dissenting). Indeed, as noted in the RESTATEMENT (SECOND) OF TORTS, "those who commit crime or are accused of it" are,

> persons of public interest, concerning whom the public is entitled to be informed. . . . As in the case of the voluntary public figure, the authorized publicity is not limited to the event that itself arouses the public interest, *and to some reasonable extent includes publicity given to facts about the individual that would otherwise be purely private.*

Id., § 652, comment f, at 389 (1981) (emphasis added).

Punishing the media is not a measure narrowly tailored to advance whatever state interest there may be in protecting against disclosure of inadvertently released wiretaps. First, the punishment is directed to the wrong party. Second, the Pennsylvania statute already has just and adequate remedies in its other provisions.

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[1] The *Easton Express* story (see Appendix B), although not even discussed in the lower court opinions, is an accurate and straightforward account of Alfred Boettger's conversations regarding gambling on college football games. *Cf., Curtis Publ. Co. v. Butts*, 388 U.S. 130 (1967).

Florida Star notes:

> Where as here the government has failed to police itself in disseminating information, it is clear under *Cox Broadcasting, Oklahoma Publishing*, and *Landmark Communications* that the imposition of damages against the press for its subsequent publication can hardly be said to be a reasonably tailored means of safeguarding anonymity.

Id., 109 S. Ct. at 2611. If there is to be any remedy for the government's error in placing the transcript in the open file, "hopes for restitution" must come from the government's own willingness to compensate victims for their loss of privacy. *Id.*, 109 S. Ct. at 2611-12. It is indeed, "highly anomalous to sanction persons other than the source of the [confidential] release." *Id.*, 109 S. Ct. at 2610

It is also true that the Pennsylvania law takes the appropriate and *constitutional* steps to accomplish its purpose. The Pennsylvania statute, 18 PA. CONS. STAT. ANN., § 5701, *et seq.*, (Purdon 1959 and Supp. 1989), contains a number of safeguards to prevent disclosure of wiretapped conversations and provides remedies in the event the wiretap transcript is disclosed. It provides for criminal actions against state employees (*id.* at § 5718) and waives sovereign immunity so that civil damage suits can be brought against state officials. *Id.* at § 5725(c). Though the record in this case is silent as to whether any of these other remedies were used, their availability suggests that more attention can be paid to the handling of this material by state employees and several other "less drastic" measures can be used short of penal-

izing the innocent newsgatherer. Indeed, "where information is entrusted to the government, a less drastic means than punishing truthful publication almost always exists for guarding against the dissemination of private facts." *Florida Star*, 109 S. Ct. at 2609.

C. THE RULE CITED BY THE COURT BELOW WOULD CREATE INTOLERABLE DIFFICULTIES FOR NEWSGATHERERS.

The final factor expressed by *Florida Star* is the "timidity and self-censorship that may result from allowing the media to be punished for publishing truthful information." *Id.*, 109 S. Ct. at 2610. The Pennsylvania Supreme Court's decision, if allowed to stand, would have a profoundly adverse impact on newsgathering in every state, because it would allow strict liability to produce penalties for the innocent publication of accurate and lawfully obtained information.

Since the Pennsylvania Supreme Court did not have the guidance of *Florida Star*, it could not know that its effort to distinguish its statute from this Court's prior cases would be directly contrary to *Florida Star*. The Pennsylvania court attempted to distinguish several of the prior cases of this Court (*Cox Broadcasting*, *Smith*, and *Oklahoma Publ. Co.*, *supra*), on the grounds that those cases involved documents "intentionally" placed in the public record rather than "inadvertently" placed in the record as here. In the first place, *Florida Star* held that liability could not be imposed on publication of information inadvertently released by the government. However, even prior to *Florida Star*, the emphasis on the distinction between inadvertent and intentional disclosure was without

merit. *Boettger v. Loverro, supra*, 555 A.2d at 1239. The rationale of *Cox Broadcasting* makes irrelevant any distinction between inadvertent or intentional placement of records in the file:

> [T]he First and Fourteenth Amendments command nothing less than that the States may not impose sanctions on the publication of truthful information contained in official court records open to public inspection. . . . At the very least, the First and Fourteenth Amendments will not allow exposing the press to liability for truthfully publishing information released to the public in official court records. . . . If there are privacy interests to be protected in judicial proceedings, the States must respond by means which avoid public documentation or other exposure of private information.

Cox Broadcasting, supra, 420 U.S. at 494-495. This is a policy which does not permit second-guessing or "qualified" openness. A public file is a public file and it is the State's, not the media's, responsibility to maintain the file properly.

In the second place, it is not feasible to require newsgatherers to ascertain that any and all records were "intentionally," not "inadvertently", placed in a public file. This would also necessarily require learning *who* placed the documents in the file and whether that person was authorized to do so.

Furthermore, the Pennsylvania rule ignores two concepts inherent to the American newsgathering process. Reporters properly start from a deeply-ingrained concept that there is a privilege to make fair

and accurate reports of governmental and judicial proceedings. *See*, LIBEL DEFENSE RESOURCE CENTER 50-State Survey, Row XII, 930-33, 954-56 (Kaufman ed. 1988). Indeed, this privilege is recognized in Pennsylvania. *See, e.g., Kernick v. Dardanell Press*, 428 Pa. 288, 236 A.2d 191 (1967). Reporters are also familiar with a common law cause of action in most states for invasion of privacy, which includes as one of its principal tenets, an exception for news stories that are of public interest and concern. RESTATEMENT (SECOND) OF TORTS, § 652D comment d, page 388 (1981). The Pennsylvania court never considered either tenet but created a rule that would add an impenetrable thicket of applicable individual state statutes and case law, with potential liability for publication of matters "inadvertently" included in those government files.

Even trying to ascertain what might be deemed confidential, as would be required by the Pennsylvania rule, would be baffling. In the State of Florida alone, for example, there are more than *300* such statutes. See FLORIDA BAR, FLORIDA PRESS ASS'N, FLORIDA ASS'N OF BROADCASTERS, "REPORTER'S HANDBOOK" (rev. ed. Feb. 1, 1988). The *amici* are unaware of any other compendium of laws conveniently setting out *confidential* records in the states in which they operate.

But for many of the news organizations in this country, a search of one state's laws would be insufficient. Pennsylvania, for example, shares borders with six states. Media located in those states and elsewhere, including national and regional organizations, often send reporters into the state to cover news stories. These organizations would have to be

familiar with Pennsylvania law as well as those of every other state in which they gather the information they broadcast or distribute.

Under these circumstances, it is virtually impossible for newsgatherers to know or even to guess what information in public government documents might be deemed "private" by a particular state legislature. The disparate treatment given only one type of record, state personnel records, illustrates this fact. For example, under Pennsylvania's Right to Know Act, 65 PA. CONS. STAT. ANN., § 66.1(2), (Purdon 1959 and Supp. 1989), records that would "operate to the prejudice or impairment of a person's reputation or personal security" are closed. However, the law does not protect "personal privacy." *Kanzelmeyer v. Eger*, 16 Pa. Commw. 495, 329 A.2d 307 (1974).

In Ohio, personnel records are not exempted from disclosure, 1 OHIO REV. CODE ANN., § 149.43(a), *et seq.*, (Page 1984 and Supp. 1988), and case law permits disclosure of personnel records. *See, e.g., State v. Bundy*, 20 Ohio St. 3d 51, 485 N.E.2d 1039 (1985). However, if the document is not required to be kept by law and is not necessary to the execution of the public official's duties and responsibilities, then disclosure is not authorized. *State ex rel. Dispatch Printing Co. v. Wells*, 18 Ohio St. 3d 382, 481 N.E.2d 632, 634 (1985). If that document contained information that was "personal" under the Personal Information Systems Law (13 OHIO REV. CODE ANN., § 1347.01(e)), sanctions may follow harmful disclosure, § 1347.10(A), *et seq.* (effective 1-23-81).

In West Virginia, W. VA. CODE, § 29-6-16 (1986 and Supp. 1989), the law requires that records of the State Personnel Department shall be open to public

inspection, except for information that is "confidential for reasons of public policy." *Id.* The West Virginia Freedom of Information Act (W. VA. CODE, § 29B-1-1, *et seq.* (1986 and Supp. 1989)), exempts from disclosure records "of a personal nature", if disclosure would create "an unreasonable invasion of privacy, *unless* the public interest by clear and convincing evidence requires disclosure in the particular instance." *Id.* at § 298-1-4(2) (emphasis added). *See also Hechler v. Casey*, 333 S.E.2d 799 (W. Va. 1985).

Without belaboring this example further, statutes, cases, and even Governor's Executive Orders must be reviewed in each of the other states to determine the status of the law on one narrow aspect of the disclosure of state government records. When newsgatherers are faced with the enormous variety of governmental and judicial records they do and should examine, the task of determining whether a record was lawfully included in the file would not be feasible.

In short, this Pennsylvania rule of liability for publishing materials legally obtained from public records would create not just timidity but chaos for news organizations reporting on the activities of government agencies. The burden that would be imposed by the Pennsylvania Supreme Court's decision is intolerable. When based on sources that should be the most accessible, trustworthy, and newsworthy—government records and court files—speech would be chilled to the point of being frozen solid. This should not be, and under the holding of *Florida Star*, cannot be tolerated.

CONCLUSION

Wherefore, *amici curiae* urge this Court to grant the Petition for Writ of Certiorari and to reverse

summarily the Pennsylvania Supreme Court ruling in this case.

Respectfully submitted,

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APPENDIX

APPENDIX A

The American Newspapers Publishers Association ("ANPA") is a non-profit membership corporation organized under the laws of the Commonwealth of Virginia. Its membership consists of more than 1,410 newspapers constituting over 90 percent of the total daily and Sunday newspaper circulation, and a substantial portion of the weekly newspaper circulation, in the United States. ANPA is concerned with issues of general significance to the profession of journalism and the newspaper publishing business, and has frequently presented its views to this Court as an *amicus curiae* in cases touching on those concerns.

The American Society of Newspaper Editors is a nationwide, professional organization of more than 1,000 persons who hold positions as directing editors of daily newspapers throughout the Untied States. The purpose of the Society includes the ongoing responsibility to improve the manner in which the journalism profession carries out its responsibilities in providing an unfettered and effective press in the service of the American people.

A.H. Belo Corporation owns *Dallas Morning News* and Dallas-Suburban Newspapers, Inc. It owns and operates 5 network affiliated television stations in the states of California, Oklahoma, Texas and Virginia.

CBS Inc. is the owner of television and radio broadcasting stations and the operator of national and radio networks.

The Chronicle Publishing Company publishes the *San Francisco Chronicle*, a daily newspaper distributed primarily in Northern California, with a daily circulation of in excess of 570,000. It also owns smaller newspapers in the states of Illinois, and Massachusetts. The Chronicle Publishing Company owns and operates television stations in San Francisco, California; Omaha, Nebraska; Wichita,

Kansas; and Colby, Kansas. In addition, it owns several cable television systems in California and one in New Mexico.

Cooke Media Group, Inc. owns and publishes the *Daily News*, a general circulation newspaper that is published in Los Angeles, California and distributed throughout the Southern California region.

The Copley Press, Inc. publishes five daily newspapers in California—*The San Diego Union, The Tribune, The Daily Breeze, The News-Pilot* and *The Outlook*—whose combined circulation exceeds 500,000 copies daily, as well as eight daily newspapers in Illinois, and operates a national news service.

Donrey, Inc. is a Nevada corporation which does business as Donrey Media Group, publishes 58 daily newspapers and 73 non-daily newspapers, and owns and operates one television station and 5 cable television companies in 20 states.

Dow Jones & Company, Inc. publishes, *inter alia, The Wall Street Journal, Barron's National Business and Financial Weekly*, the Dow Jones News Services and, through its Ottaway Newspapers, Inc. subsidiary, newspapers in 28 communities in 13 states, including Sharon, Stroudsburg and Sunbury, Pennsylvania.

The National Association of Broadcasters ("NAB"), organized in 1922, is a non-profit incorporated trade association which serves and represents America's radio and television stations and all the major networks. NAB's members cover, produce and broadcast the news to the American people. NAB seeks to preserve and enhance its members' ability to disseminate information freely about the activities of government and other matters of public concern.

National Broadcasting Company, Inc. ("NBC") owns and operates a national television network, and itself, and

through subsidiaries, operates television stations, all of which are engaged in gathering and disseminating news to the public.

The New York Times Company owns and publishes the New York *Times*, a daily newspaper with a national circulation of 1.1 million and over 1.6 million on Sunday. The Company also owns five TV stations, including WNEP-TV in Wilkes-Barre, Pennsylvania, 35 regional newspapers and several national magazines.

Radio-Television News Directors Association is a professional association of radio and television journalists. The Association has more than 2,500 members who gather, edit, and disseminate news and other public affairs information carried by the national broadcast and cable networks, local radio and television broadcast stations, and cable television systems.

The Reporters Committee for Freedom of the Press is a voluntary, unincorporated association of news reporters and editors dedicated to protecting the First Amendment interests of the news media. The Reporters Committee has appeared in virtually every recent Supreme Court case involving the First Amendment rights of reporters to gather and disseminate news and information.

Seattle Times Company publishes *The Seattle Times*, the largest daily and Sunday circulation newspaper in the Pacific Northwest, and also publishes the *Walla Walla Union-Bulletin*.

The Society of Professional Journalists is a voluntary, not-for-profit organization of nearly 20,000 members. The Society is the largest and oldest organization of journalists in the United States, representing every branch and rank of print and broadcast journalism.

The Times Mirror Company publishes *The Los Angeles Times*, a newspaper with a circulation of more than 1,127,000 daily and more than 1.4 million on Sunday. Times

Mirror publishes eight other newspapers, including *Newsday*, *The Baltimore Sun* and *The Evening Sun*, and *The Hartford Courant*, with a combined Sunday circulation of more than two million copies. The Company also operates book and magazine publishing firms, four television stations, and provides cable television service in states.

The Washington Post Company publishes *The Washington Post*, a daily newspaper in Washington, D.C., with a circulation of 814,000 and a Sunday circulation of 1,149,000.

APPENDIX B

EASTON EXPRESS NEWS STORY

WIRETAP REVEALS GAME BETTING BIG BUSINESS

by THOM LOVERRO
Express staff writer

EASTON—Alleged conversations among Wayne Dickinson, Alfred Boettger and James Kayal about college football games probably differ a good bit from the usual talk of weekend football between arm-chair quarterbacks.

The conversations among those three men, taped by state police via a wiretap, allegedly involved betting in the thousands of dollars, according to transcripts on file in the Northampton County Courthouse.

Boettger, of Route 611 in Forks Township, and Kayal, of the 1200 block of Ann Marie Street in Palmer Township, were arrested Dec. 12 at their homes by state police at Bethlehem and accused of accepting illegal bets on sporting events from Dickinson between April 8 and Dec. 3, 1981.

Dickinson, a Palmer Township resident, went to the state police for protection because of a gambling debt allegedly owed to Boettger and Kayal, documents at the courthouse show.

Gus Milides, Kayal's lawyer, and E. Jerome Brose, attorney for Boettger, filed a motion to suppress the wiretapped conversations, mainly on the basis that the tapes of the alleged conversations were not guarded according to state law from possible editing or altering.

However, Northampton County Judge Franklin S. VanAntwerpen denied the motion.

In the Dec. 12 raid, $32,124 was seized by police, along with three football pool tickets and sheets with numbers

on them, according to testimony by Robert Miklich, one of three troopers who set up the wiretap.

One of those conversations includes a discussion allegedly between Boettger and Dickinson on Nov. 19, 1981, about the upcoming weekend college football games and whether Dickinson could place a bet on them with his outstanding debt from previous bettings.

Excerpts from the tapes:

Boettger: "So I'm scrambling and picking up money. You know, moving around, paying, collecting, paying, collecting, all day. I was running. Tomorrow, I got to finish up because the weekend is starting again. So I got to . . . "

Dickinson: "What does it look like for this weekend?"

Boettger: "What do you mean?"

Dickinson: "Games, Anything worthwhile?"

Boettger: "I don't know. There's a lot of games, Nebraska-Oklahoma, Penn State-Notre Dame, there are a lot of big games. I don't know how it's going to go. You know, there is Mississippi State-Mississippi, all these wild (not audible) Washington State-Washington. They are all playing: USC-UCLA, that's on television."

Dickinson: "Penn State-Notre Dame is no, right?"

Boettger: "No, that is not on TV, no."

Dickinson: "Oh, isn't it?"

Boettger: "No, they are having . . . Who the hell is on early? USC-UCLA on late. What's the first game? I'm trying to think what I saw as the first game, a . . . [bleep]: wait a minute. I got a schedule here, I could probably guess at who it is. Oh, Ohio State and Michigan, ya. I read it first hand, Ohio State and Michigan on early and USC and UCLA on late."

Dickinson: "Like I said the other night, if I get two grand. $2,500, could I do something small?"

Boettger: "Small . . . small."

The conversation continued centering on whether Dickinson would be allowed to bet anymore:

Boettger: "Do you know what I mean, I can't let you bet big, not when you owe this kind of money. I mean even if you pay us off, I don't want . . . you can't bet like that again."

Dickinson: "No, I am done with this s---."

Boettger: "I don't want 300 times for nobody. I got guys that bet with me for 5 or 6 years an bet big money. I wouldn't let them go for 300 times." (*Editor's note: Times is a term used for $5 betting. If a person says he wants to bet 300 times, it would mean a $1,500 bet*).

Dickinson: "Ya."

Boettger: "The bet I would take is a dime [$1,000] and these guys got the money. The most I would take is $1,000, a thousand from any one person and I don't even want that—and these guys pay. I mean, like today, I went to see a guy today, he bets me a dime a game. He owed me $2,500. It was there, no problem."

A second conversation, this one allegedly between Kayal and Dickinson, was recorded by police on Nov. 17, 1981. The transcripts contain references to a $20,000 gambling debt owed by Dickinson in Hazleton:

Kayal: "Well, I mean, you know, but how long should I wait (not audible). OK you ran that joint up there. OK I know a guy that stuck you . . . "

Dickinson: "Yeah, for a whole bunch of money."

Kayal: "Right."

Dickinson: " . . . What you gonna do? Break their heads and go to jail? That's [not audible]. I got 18 to 20 grand laying on the streets up there and I'll never see it unless I want to get tough."

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